

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
RICHARD W. NAGEL
CLERK OF COURT

2022 JUN 23 PM 1:02

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TOMAS HAILEMARIAM,

Defendant.

CASE NO. 22-cr-00109

JUDGE MARRISON

INDICTMENT

21 U.S.C. §§ 841(a)(1) and (b)(1)(C)-(D)

18 U.S.C. § 924(c)(1)(A)(i)

18 U.S.C. §§ 922(g)(1) and 924(a)(2)

FORFEITURE

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

THE GRAND JURY CHARGES:

COUNT 1

(Possession with Intent to Distribute Controlled Substances)

1. On or about December 29, 2021, in the Southern District of Ohio, the defendant, **TOMAS HAILEMARIM**, did knowingly and intentionally possess with the intent to distribute the following: a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, a Schedule II controlled substance; a substance containing a detectable amount of oxycodone, a Schedule II controlled substance; and a substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), and (b)(1)(D).

COUNT 2

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

2. The allegations in Count 1 of this Indictment are hereby re-alleged and incorporated by reference.

3. On or about December 29, 2021, in the Southern District of Ohio, the defendant, **TOMAS HAILEMARIAM**, did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute controlled substances, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)–(D), as set forth in Count 1 of this Indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

COUNT 3
(Prohibited Person in Possession of a Firearm)

4. On or about December 29, 2021, in the Southern District of Ohio, the defendant, **TOMAS HAILEMARIAM**, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, said firearm having been shipped and transported in interstate or foreign commerce, to wit:

Firearm Description	Serial Number
Girsan-manufactured, model Regard, 9mm, semi-automatic handgun	T6368-20A16323
Ruger-manufactured, model SR9, 9mm, semi-automatic handgun	330-61894
Kimber-manufactured, model Custom II, .45 caliber, semi-automatic handgun	K287969
Taurus-manufactured, model PT 738, .380 caliber, semi-automatic handgun	20571F
Smith & Wesson-manufactured, model M&P .380 Shield, .380 caliber, semi-automatic handgun	Unknown
Smith & Wesson-manufactured, model M&P 15-22P, .22 caliber, semi-automatic firearm	WAK6917
Smith & Wesson-manufactured, model Bodyguard, .380 caliber semi-automatic handgun	KDN7520
Glock-manufactured, model 43X, 9mm, semi-automatic handgun	BUEE466

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

FORFEITURE ALLEGATION A

5. The allegations of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of 21 U.S.C. § 853(a)(1) and (2).

6. Upon conviction of any offense alleged in Count 1 of this Indictment, the defendant, **TOMAS HAILEMARIAM**, shall forfeit to the United States, in accordance with 21 U.S.C. § 853(a)(1) and (2), all right, title and interest in any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violation, including, but not limited to:

Description	Serial Number
Girsan-manufactured, model Regard, 9mm, semi-automatic handgun	T6368-20A16323
Ruger-manufactured, model SR9, 9mm, semi-automatic handgun	330-61894
Kimber-manufactured, model Custom II, .45 caliber, semi-automatic handgun	K287969
Taurus-manufactured, model PT 738, .380 caliber, semi-automatic handgun	20571F
Smith & Wesson-manufactured, model M&P .380 Shield, .380 caliber, semi-automatic handgun	Unknown
Smith & Wesson-manufactured, model M&P 15-22P, .22 caliber, semi-automatic firearm	WAK6917
Smith & Wesson-manufactured, model Bodyguard, .380 caliber semi-automatic handgun	KDN7520
Glock-manufactured, model 43X, 9mm, semi-automatic handgun	BUEE466
Pistol magazine with ammunition from the Girsan Regard	
.45 caliber pistol magazine with ammunition from the Kimber Custom II	
Two pistol magazines with ammunition from a Smith & Wesson firearm	
Pistol magazine with ammunition from the Glock 43X	
Empty extended pistol magazine	
Pistol magazine with ammunition from the Taurus .380	
Empty pistol mag from a Smith & Wesson firearm	

Description	Serial Number
Motorola MC382 Cell Phone	IMEI 356611282969470
Blue/black ATT Flip Phone	IMEI 864862048287310
Blue ATT Phone	IMEI 866099020855644
Blue Sprint Sanyo Flip Phone, Model SCP-2400	FCC ID AEZSCP- 24H

Forfeiture notice in accordance with 21 U.S.C. § 853(a)(1) and (2), 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

FORFEITURE ALLEGATION B

7. The allegations of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c).

8. Upon conviction of any offense alleged in Count 2 or 3 of this Indictment, the defendant, **TOMAS HAILEMARIAM**, shall forfeit to the United States, in accordance with 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in such offense, including, but not limited to:

Description	Serial Number
Girsan-manufactured, model Regard, 9mm, semi-automatic handgun	T6368-20A16323
Ruger-manufactured, model SR9, 9mm, semi-automatic handgun	330-61894
Kimber-manufactured, model Custom II, .45 caliber, semi-automatic handgun	K287969
Taurus-manufactured, model PT 738, .380 caliber, semi-automatic handgun	20571F
Smith & Wesson-manufactured, model M&P .380 Shield, .380 caliber, semi-automatic handgun	Unknown
Smith & Wesson-manufactured, model M&P 15-22P, .22 caliber, semi-automatic firearm	WAK6917
Smith & Wesson-manufactured, model Bodyguard, .380 caliber, semi-automatic handgun	KDN7520
Glock-manufactured, model 43X, 9mm, semi-automatic handgun	BUEE466
Pistol magazine with ammunition from the Girsan Regard	

Description	Serial Number
.45 caliber pistol magazine with ammunition from the Kimber Custom II	
Two pistol magazines with ammunition from a Smith & Wesson firearm	
Pistol magazine with ammunition from the Glock 43X	
Empty extended pistol magazine	
Pistol magazine with ammunition from the Taurus .380	
Empty pistol magazine from a Smith & Wesson firearm	

Forfeiture notice in accordance with 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

A True Bill.

s/Foreperson

GRAND JURY FOREPERSON

**KENNETH L. PARKER
UNITED STATES ATTORNEY.**



**SHEILA G. LAFFERTY (0042554)
S. COURTER SHIMEALL (0090514)
Assistant United States Attorneys**